

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STEVE MACRINA, on behalf of himself and all others similarly situated,	:	
	:	Docket No. 1:07-cv-04108-JGK
	:	
Plaintiff,	:	
	:	
v.	:	
EQUIPMENT FINANCE, LLC, et al.,	:	
	:	
Defendants.	:	
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BRIAN JOHNSON, on behalf of himself and all others similarly situated,	:	
	:	
	:	Docket No. 1:07-cv-04652-JGK
Plaintiff,	:	
	:	
v.	:	
STERLING FINANCIAL CORPORATION, et al.,	:	
	:	
Defendants.	:	
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CASTLE STRATEGIC TRADING, INC., on behalf of itself and all others similarly situated,	:	
	:	Docket No. 1:07-cv-05594-JGK
	:	
Plaintiff,	:	
	:	
v.	:	
EQUIPMENT FINANCE, LLC, et al.,	:	
	:	
Defendants.	:	
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JEFFREY M. COOLEY, on behalf of himself and all others similarly situated,	:	
		Docket No. 1:07-cv-05671-JGK
		:
Plaintiff,	:	
		:
v.	:	
STERLING FINANCIAL CORPORATION, et al.,	:	
		:
Defendants.	:	
		:

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### [PROPOSED] ORDER

Having considered the Motion for Consolidation, Appointment of Lead Plaintiffs and Approval of Selection of Lead Counsel submitted by Paul A. Miller and Regina A. Miller (collectively, “Movants”), the accompanying Memorandum of Law, as well as all other materials submitted in connection with this Motion, and good cause appearing,

**IT IS HEREBY ORDERED:**

**A. Consolidation of the Actions.**

1. Movants’ Motion for Consolidation, Appointment of Lead Plaintiffs and Approval of Selection of Lead Counsel is granted.
2. Each of the above-listed actions and all other actions subsequently filed in or transferred to this Court that assert claims on a class-wide basis arising from or relating to the operative facts and allegations contained in the complaints (collectively, the “Consolidated Action”)

are hereby consolidated for all purposes pursuant to FED. R. CIV. P. 42(a).

3. A Master Docket and a Master File are hereby established for the Consolidated Action as follows:

**UNITED STATES DISTRICT COURT  
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IN RE: STERLING FINANCIAL	:
CORPORATION SECURITIES	:
LITIGATION	:
	:

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4. All papers hereafter filed in the Consolidated Action shall bear the caption above.
5. When a case which relates to the subject matter of the Consolidated Action is hereafter filed in this Court or transferred to this Court from another Court, the Clerk of Court shall:
  - a. Make an appropriate entry in the Master Docket;
  - b. Mail a copy of this Order to the attorneys for the plaintiffs in the newly-filed or transferred case, and to the attorneys for any new defendants named in the newly filed or transferred case; and
  - c. Mail a copy of the Order of assignment to counsel for plaintiffs and counsel for defendants in the Consolidated Action.
6. This Order shall apply to each case subsequently filed in this Court or transferred to this Court unless a party objecting to the consolidation

of such case or to any other provision of this Order shall, within twenty-one (21) days after the date upon which a copy of this Order is mailed to counsel for such party, file an application for relief from this Order or any provision herein, and this Court deems it appropriate to grant such application.

7. The terms of this Order shall not have the effect of making any person, firm, or entity a party to any action in which he, she, or it has not been properly named, served, or joined in accordance with the Federal Rules of Civil Procedure. The terms of this Order and the consolidation ordered herein shall not constitute a waiver by any party of any claims in or defenses to any of the actions, including defenses based on personal jurisdiction.

**B. Appointment of Lead Plaintiffs and Lead Counsel.**

8. Proposed Lead Plaintiffs Paul A. Miller and Regina A. Miller are appointed to serve as Lead Plaintiffs in the Consolidated Action pursuant to 15 U.S.C. §78u-4(a)(3)(B)(iii).
9. Movant's selection of Chimicles & Tikellis LLP to serve as Lead Counsel in the Consolidated Action is hereby approved, pursuant to 15 U.S.C. §78u-4(a)(3)(B)(v).

**C. Filing of a Consolidated Amended Complaint.**

10. Lead Plaintiffs shall file a Consolidated Amended Complaint in the Consolidated Action within thirty (30) days following the entry of this

Order. This Consolidated Amended Complaint shall be the operative complaint in the Consolidated Action.

11. Defendants shall answer, move or otherwise plead in response to the Consolidated Amended Complaint forty-five (45) days after the date on which the Consolidated Amended Complaint is filed.

**IT IS SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007

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United States District Judge